IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE ELEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO : 81 of 2005**

Between:

1 E. Chandrasekhar Reddy, S/o. Sri Nagi Reddy,
Resident of S1/B-225, Sachivalayanagar, Vanasthalipuram, R.R. District..
2 Raja Isac Mani, S/o. Sri Raja Mani K.,
Resident of S4/501, Sachivalayanagar, Vanasthalipuram, R.R. District..
3 M.V. Narayan Reddy, S/o. Sri M. Venkatanna,
Resident of S1/B-296, Sachivalayanagar, Vanasthalipuram, R.R. District..

**..... PETITIONERS**

AND

1 The Election Officer/Assistant Registrar, A.P. Secretariat Employees Cooperative Housing Officer, (Regd.NO. TBC 186) Hafizpet, Working Office at A.P. Secretariat, Hyderabad.
2 The District Collector/Election Authority, R.R. District, Lakadikapul, Hyderabad.
3 A.P. Secretariat Employees Coop. Society Ltd. (Regd No. TBC 186) Rep by its Official Person Incharge and Chairman (Addl. Registrar), Hafizpet, Working office at A.P. Secretariat, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the first respondent in seeking to conduct the elections with 146 voters only out of 3660 voters vide notice bearing Rc.No. Elections(1) SDLCO(H)/2004 dt. 3-1-2005 to the President and Managing Committee of the third respondent society, as arbitrary and illegal and quash the same.

**Counsel for the Petitioners:MR.S.SATYAM REDDY**

**Counsel for the Respondents: GP FOR COOPERATION**

**The Court, at the stage of admission, made the following :**

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**ORDER:**

Once an election notification is issued, any irregularity in preparation of the voters list cannot be subject matter of judicial review. The petitioners have to wait till the elections are completed and can challenge the same by way of filing an election petition before the Election Tribunal as held by a Full Bench of this Court in **KALLA RAMAKRISHNA V. STATE ELECTION COMMISSION, HYDERABAD**. Further, once the election process sets in motion, the same cannot be thwarted as held by the Apex Court in **STATE OF PUNJAB V. BHAJAN SINGH** and in **SHRI SANT SADGURU JANARDAN SWAMI (MOINGIRI MAHARAJ) SAHARAKARI DUGDHA UTPADAK SANSTHA**.

The learned counsel for the petitioners submits that the petitioner may be permitted to move the District Election Authority for inclusion of voters, who are left out from the voters list, if the Rules provides such opportunity.

It is always open for the petitioners to approach the District Election Authority for inclusion of voters and it is for the District Election Authority to consider the same as per the Rules.

The writ petition is accordingly disposed of. No costs.

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A. GOPAL REDDY. J

11.01.2005.

Note: Furnish CC by tomorrow

B/o

Tsr/va

To

1 The Election Officer/Assistant Registrar, A.P. Secretariat Employees Cooperative Housing Officer, (Regd.NO. TBC 186) Hafizpet, Working Office at A.P. Secretariat, Hyderabad.
2 The District Collector/Election Authority, R.R. District, Lakadikapul, Hyderabad.
3 The Official Person Incharge and Chairman (Addl. Registrar), A.P. Secretariat Employees Coop. Society Ltd. (Regd No. TBC 186), Hafizpet, Working office at A.P. Secretariat, Hyderabad

4. Two C.C.s to Government Pleader for Cooperation, High Court Buildings, Hyderabad.(OUT)

5. Two C.D. copies